

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kevin Woehr, et al.
Application No. : 09/638,641
Filed : August 14, 2000
Title : SPRING CLIP SAFETY IV CATHETER

Grp./Div. : 3735
Examiner : Kevin Sirmons

Docket No. : 39352/WPC/K163

TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION

Assistant Commissioner for Patents
Washington, D.C. 20231

P. O. Box 7068
Pasadena, CA 91109-7068
April 21, 2003

Commissioner:

I hereby certify that I am the attorney of record in this application and am authorized to execute this disclaimer on behalf of the assignee; and I further certify that the evidentiary documents have been reviewed and that assignee, to the best of my knowledge and belief, has title to the above-identified application and patent.

B. Braun Melsungen A.G., having a place of business at Carl-Braun Str. 1, 34212, Melsungen, Germany, represents: (a) that it is the assignee of the entire interest in U.S. Patent No. 6,117,108, by virtue of the assignment recorded in the United States Patent and Trademark Office at reel 9435, frame 0074; and (b) that it is the assignee of the entire interest in U.S. Patent No. US 6,287,278 B1, by virtue of the assignment recorded in the U.S. Patent and Trademark Office at reel 011988, frame 0018 and at reel 013269, frame 0187.

B. Braun Melsungen A.G. hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration dates of U.S. Patent Nos. 6,117,108 and US 6,287,278 B1, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title thereto shall be the same as the legal title to U.S. Patent Nos. 6,117,108 and US 6,287,278 B1,

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this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Applicant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent Nos. 6,117,108 and US 6,287,278 B1, as presently shortened by any terminal disclaimer, in the event that any of the patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like, so made, are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and further that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 

Tom H. Dao
Reg. No. 44,641

THD/bl

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